

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOSEPH E. W. BRONAUGH, III,

Petitioner,

v.

ATTORNEY GENERAL OF THE STATE OF
NEW JERSEY, et al.,

Respondents.

Civil Action No. 20-8098 (MAS)

MEMORANDUM ORDER

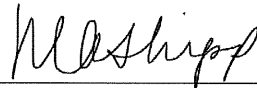
SHIPP, District Judge

This matter comes before the Court on the Court's review of Petitioner's amended habeas petition. (ECF No. 3.) By way of background, Petitioner filed an initial habeas petition in March 2020. (*See Bronaugh v. Ellis*, Docket No. 20-2717, at ECF No. 1.) In July 2020, Petitioner filed a substantially similar habeas petition in this matter. (ECF No. 1.) As the petition filed in this matter raised essentially the same claims as those raised in his original petition, this Court therefore dismissed the habeas petition filed in this matter as duplicative. (*See* ECF No. 2).

On or about March 29, 2021, however, Petitioner filed two identical copies of an amended habeas petition, one in this matter (ECF No. 3) and another in his original habeas matter. (*Bronaugh*, Docket No. 20-2717, at ECF No. 14.) The two amended petitions are identical – they raise the same claims, involve the same active parties, and are clearly duplicative of one another. As the amended petition filed in this matter is clearly duplicative of the identical petition filed in Docket No. 20-2717, it must be dismissed without prejudice. *See, e.g., Fabics v. City of New Brunswick*, 629 F. App'x 196, 198 (3d Cir. 2015).

IT IS THEREFORE on this 20th day of August, 2021, **ORDERED** that:

1. Petitioner's amended habeas petition (ECF No. 3) is **DISMISSED WITHOUT PREJUDICE** as duplicative of the identical petition filed in Petitioner's original habeas matter (*Bronaugh*, Docket No. 20-2717, at ECF No. 14).
2. The Clerk of the Court shall serve a copy of this Order upon Petitioner by regular mail, and shall mark this matter as **CLOSED**.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE